



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Atlantic Herring Amendment 5 Data Collection

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the Federal Register on September 30, 2022 (87 FR 59402) during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Association (NOAA), Commerce.

Title: Atlantic Herring Amendment 5 Data Collection.

OMB Control Number: 0648-0674.

Form Number(s): None.

Type of Request: Regular submission (extension of a current information collection).

Number of Respondents: 622.

Average Hours Per Response: For participants in the Atlantic herring fishery, 5 minutes for a pre-trip notification; 1 minute for a trip cancellation notification; 5 minutes for a call to request an IFM observer to access groundfish closed areas; 1 minute for a trip cancellation notification for groundfish closed areas; 5 minutes for the submission of a released catch affidavit; and 1 minute for the submission of species pounds to the observer.

For IFM service providers, 10 minutes for submission of a monitor deployment report; 20 minutes for the submission of an ASM availability report; 30 minutes for the submission of a safety refusal; 5 minutes for the submission of raw monitor data; 2 hours for a monitor debriefing; 30 minutes for the submission of other reports; 1 hour for the submission of biological samples; 10 hours for the submission of a new service provider application; 10 hours for an applicant response to a service provider denial; 30 minutes to request monitor training; 8 hours to rebut removal from the list of approved IFM service providers; 10 minutes to process request for an ASM; 5 minutes to notify unavailability of ASMs; 10 minutes to process request for an IFM observer in groundfish closed area; 5 minutes to notify unavailability of IFM observers; 5 minutes for the submission of monitor contact list updates; 5 minutes for the submission of monitor availability updates; 30 minutes for submission of service provider materials; and 30 minutes for the submission of service provide contracts.

Total Annual Burden Hours: 1,848.

Needs and Uses: This request is for an extension of a currently approved collection associated with the Atlantic herring fishery. National Marine Fisheries Service (NMFS) Greater Atlantic Region manages these fisheries in the Exclusive Economic Zone (EEZ) of the Northeastern United States through the Atlantic Herring Fishery Management Plan (FMP). The New England Fishery Management Council prepared the FMP pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The regulations implementing the FMP are specified at 50 CFR part 648 and the recordkeeping and reporting requirements at § 648.11 form the basis for this collection of information.

In 2014, NMFS implemented Amendment 5 to the Atlantic Herring FMP to improve the collection of real-time and accurate catch information for the Atlantic herring fishery; enhance the monitoring and sampling of catch at-sea; and address bycatch issues, in particular bycatch of river herrings and shads, through responsible management.

In 2020, NMFS implemented the New England Industry Funded Monitoring (IFM) Omnibus Amendment to increase monitoring in certain FMPs, above levels required by the Standardized Bycatch Reporting Methodology (SBRM), to assess the amount and type of catch and to reduce variability around catch estimates. This amendment created a structure by which industry funding would be used in conjunction with available federal funding to pay for additional monitoring to meet FMP-specific coverage targets and required IFM in the Atlantic herring fishery.

We request the continued collection of the following information to improve monitoring and the collection of catch information in the Atlantic herring fishery:

- Observer notification requirement for permitted herring vessels to facilitate SBRM and IFM coverage;
- Requirement for vessel captains to submit a Released Catch Affidavit form documenting the discarding of unsampled catch;
- A requirement that Category A and B Atlantic herring permit holders pay for vessel at-sea monitoring costs, estimated to be up to \$710 per sea day, on trips selected for IFM coverage (50% coverage target);
- The option for Category A and B Atlantic herring permit holders that fish with midwater trawl gear to obtain an IFM observer allowing the vessel to fish in groundfish closed areas and pay for the vessel's at-sea monitoring costs, estimated to be up to \$818 per sea day; and
- Requirements for IFM monitor service providers to submit reports to NMFS on behalf of Category A or B Atlantic herring permitted vessels or for meeting service provider responsibilities for service provider approval and to facilitate accurate catch monitoring.

Affected Public: Business or other for-profit organizations.

Frequency: As-needed.

Respondent's Obligation: Mandatory.

Legal Authority: Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq*, Section 303).

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0648-0674.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

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